

Please Enrich 11/3/06
Serial No. 10/642,810

IN THE CLAIMS:

Please amend the claims as follows:

1. (currently amended) A cap and utensil assembly, comprising:
a cap having a cap top with an inner surface having at least a contact area, and having at least one upwardly standing sidewall adjacent to the cap top, said sidewall having an inner surface;
a rib structure on the inner surface of the sidewall defining a first plane; and
a one-piece rigid utensil comprising a cup portion and a handle, the cup portion having an enclosed volume and a depth greater than its width, the cup portion having a curved sidewall integral its distal end, the handle being substantially thinner than the width of the cup portion and having a first portion and a second portion substantially perpendicular to the first portion with a curved distal end, the utensil having points of contact consisting essentially of a first point being a line contact between the curved sidewall of the cup portion and the rib structure, a second point being a line contact between the curved distal end of the handle and the rib structure and a third point of contact between the cup portion and the contact area of the cap top at least partially within a second plane perpendicular to the cap top through the axis of symmetry, the second plane being ~~substantially perpendicular to a third plane of the inner surface of the cap top and~~ different from the first plane of the rib;
wherein the three-points of contact ensure that the utensil is securely held within the cap, and yet is readily removable therefrom.

2. (previously presented) The cap and utensil assembly according to claim 1, wherein the rib structure is a continuous rib on the inner surface of the sidewall.

3. (previously presented) The cap and utensil assembly according to claim 2, wherein the rib structure is spaced a predetermined distance from the inner surface of the cap top.

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4. (previously presented) The cap and utensil assembly according to claim 1, wherein the cup portion has an opening in a plane perpendicular to the cap top.

5. (previously presented) The cap and utensil assembly according to claim 1 wherein the line contact between the curved sidewall of the cup portion and the rib structure is substantially longer than line contact between the curved distal end of the handle and the rib structure.

6. (previously presented) The cap and utensil assembly according to claim 5, wherein the line contact between the curved sidewall of the cup portion and the rib structure extends along the entire depth of the cup portion and the line contact between the curved distal end of the handle and the rib structure extends along the entire length of the curved distal end.

7. (previously presented) The cap and utensil assembly according to claim 1, wherein the inner surface of the cap top is substantially flat with no extensions.

8. (cancelled)

9. (previously presented) The cap and utensil assembly according to claim 1, wherein the cup portion of the utensil has a substantially oval cross-sectional configuration.

10. (previously presented) The cap and utensil assembly according to claim 1, wherein the cup portion of the utensil has a substantially square cross-sectional configuration.

11. (previously presented) The cap and utensil assembly according to claim 1, wherein the cup portion of the utensil has a spout.

12-20. (cancelled)